

REMARKS

Applicants respectfully traverse and request reconsideration.

Claims 11-13 have been cancelled without prejudice.

Claims 6-13, 15-22, 24, 26, 28-31, 36, 38-39 and 41 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2003/0149988 to Ellis et al. ("Ellis"). Claims 37 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellis.

Ellis is directed to a client server based interactive television program guide system remote server recording. (*See* Title, Abstract). Programs may also be recorded on a local media server. The program guide provides users with VCR-like control over programs that are played back from the media servers and over real-time cached copies of the programs. (Abstract). The program guide appears to manifest itself to a user as a program listing screen having programming material entries organized: by time (Fig. 11a), by channel (Fig. 11b), and by category (Fig. 11c). The entries in any program listing appear to be limited, however, to reflect only one of: current or future programming material that will not be recorded, current or future programming material that will be recorded, or previously recorded programming material. (FIGs. 11a-c; ¶¶ 0125-0126). Ellis does not appear to provide a program guide wherein a given entry includes information directed to current live stream or future live stream and that also indicates the presence of existent recorded material associated with the included information.

With respect to Claims 6, 16, 19, 22, 24, 26, 36 and 39 the Office Action states that "Ellis further discloses displaying EPG wherein information related to recorded material is displaying with television broadcast information wherein the EPG is organized as a grid of entries, each of the entries including the information related to at least one of the current live stream and the future live stream and wherein at least one entry indicates presence of existent recorded material associated with the information related to the at least one of the current live stream and the future

live stream (see Fig. 11c; cf. 151).” (Office Action, p.3, ¶ 1). Applicants disagree that the cited portion of Ellis teaches or suggests Applicants’ claim language.

As noted above, Ellis appears to teach a program guide that manifests itself to the user as a program listing screen where current, future and recorded programming material is available for selection by the user. However, the program listing screen appears to be limited to a listing having individual entries that reflect only one of: current or future programming material that will not be recorded, current or future programming material that will be recorded, or previously recorded programming material. (FIGs. 11a-c; ¶¶ 0125-0126). The location and appearance of the entries within the listing may change based on whether the screen is organized by time, channel or category. (FIGs. 11a-c). For instance, previously recorded programming material may be displayed as its own entry in the program listing at the beginning of the screen (Fig. 11b, element 150; Fig. 11c, element 150; ¶ 0125), while current or future programming material that will be recorded at some future time may be displayed as their own entry in their normal position with an icon indicating that the item is to be recorded (Fig. 11a, elements 150 and 299, ¶ 0125). In another embodiment, Ellis teaches that previously recorded programming material and/or current or future programming material to be recorded may be listed as their own entry and may also display their actual or anticipated record dates. Other indicia may be used to indicate a specific entry as recorded or to be recorded. (¶ 0126). In other words, Ellis does not appear to teach an entry that is capable of indicating both current or future live streams and existent recorded material.

In contrast to Ellis and with respect to claim 6, Applicants claim a system for providing an extended electronic program guide, wherein the extended electronic program guide is organized as a grid of entries and wherein: “each of the entries includ[es] the information related

to at least one of the: current live stream and the future live stream” and “at least one entry [i.e., of the grid of entries] indicates presence of existent recorded material associated with the information related to the at least one of: the current live stream and the future live stream, when available.” (Emphasis added). Because Ellis does not appear to teach an entry that includes information related to at least one of a current live stream and a future live streams and wherein the entry also indicates the presence of existent recorded material related to the included information, Ellis fails to anticipate or otherwise suggest this limitation.

For at least these aforementioned reasons, claim 6 appears to be in proper condition for allowance. For the same reasons articulated above, claims 16, 19, 22, 24, 26, 36 and 39 also appear to be in proper condition for allowance.

As to claims 7-10, 15, 17-18, 20-21, 28-31, 37-38 and 40-41, Applicants respectfully submit that said claims are dependent upon allowable claims and further contain additional novel, non-obvious and patentable subject matter. For at least these reasons and for at least those articulated above, these dependent claims are believed to be allowable over the cited prior art.

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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